



## Pierce County

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December 7, 2006

Mr. Tom Loranger  
Regional Water Resources Manager  
Washington Department of Ecology  
P.O. Box 47775  
Olympia, WA 98504-7775

Re: Draft ROE for Application S2-29934

Dear Mr. Loranger:

We are disappointed we are not able to send you one letter signed by representatives of Puyallup Tribe, the Lake Tapps Homeowners, Puget Sound Energy, Cascade Water Alliance, and the County that resolves all the issues of mutual concern regarding the Draft Record of Examination (ROE). But we do believe the review of the ROE has brought us closer to agreement and we have a better understanding of each other's priorities. Thank you for issuing the draft and providing the extended comment period.

The willingness of the Department of Ecology (DOE), and you specifically, to put forward a draft ROE that is as complex as this one needs to be recognized and commended. While we heard from you that this is one of the most complex water rights your agency has drafted, we believe with all of the pressures to retain the natural, cultural, recreational, and economic viability of our State, it won't be the last. From Pierce County's perspective the balance that needs to be reached is one that acknowledges those potentially competing interests and works to find a way they can all be accommodated.

To that end the County has and will continue to work on addressing our region's issues in a holistic manner. We recognize the spring Chinook that are native to the White River system is one of the 20 designated populations that must be recovered according to the listing of Chinook under the Endangered Species Act. For the purpose of achieving viable populations of salmon we have staff working on all aspects of a recovery plan. From environmental educators to actual construction of projects, from scientific analysis to providing project grant funds, the County continues to commit significant resources. The County continues to identify and facilitate the resolution of water quality issues through the White River basin plan process and is addressing habitat and flooding issues through efforts such as the setback levee prioritization study that is expected to be completed for the County in 2007. For recreational purposes, the County continues to address issues at Lake Tapps including the creation of the Lake Management Plan. To address passive recreation and the preservation of habitat in this basin, the County continues using approaches such as working with the Cascade Land Conservancy Land Trust and using the Conservation Futures funds to secure habitat.



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December 7, 2006  
Page 2

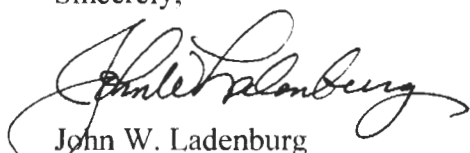
As the Department of Ecology finalizes Puget Sound Energy's application, we hope that you will continue to be open to using tools and criteria that are not necessarily the way water right decisions have been made historically. The Draft ROE seems to indicate you see the need to do so, and we would encourage that kind of problem solving to continue.

For the parties listed at the beginning of this letter we found we could not agree to a flow proposal only because of uncertainties specifically related to the month of July. With an August flow of 500 cfs, the flows identified in the other ten months of the Puyallup Tribe's proposal were acceptable.

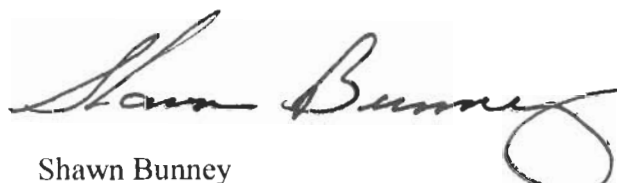
It would be our desire that the Department of Ecology be willing to acknowledge uncertainties such as climate change, and peak domestic water demands and be willing to issue a decision that uses the concept of adaptive management. It would be important to identify the criteria to be monitored but the actual decision and results could be tied to a future phase. This would allow the parties to continue to work together, provide the opportunity for agreement on criteria, and work to continue on balancing all of the interests.

Again we would like to thank you for your hard work during this process. We continue to be available if there is anything the County can do to help bring this process to a successful conclusion.

Sincerely,



John W. Ladenburg  
Executive



Shawn Bunney  
Council Chair

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